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Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 57/171 of 18 December 2002, entitled "Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice", in which the Assembly requested the Secretary-General to ensure the proper follow-up to the resolution and to report thereon to the Assembly through the Commission on Crime Prevention and Criminal Justice at its twelfth session. Accordingly, the report highlights the views of Member States, relevant specialized agencies and other entities of the United Nations system, intergovernmental and non-governmental organizations and other bodies and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network on the agenda items and workshop topics for the Eleventh Congress. The report also highlights the organizational arrangements for the Congress, followed by a summary of the proceedings and action taken by the Commission at its twelfth session on the preparations for the Congress.

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I. Introduction

1. In its resolution 57/171 of 18 December 2002, the General Assembly took note of the report of the Commission on Crime Prevention and Criminal Justice on its eleventh session[1] and of its discussion on the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;[2] and decided that the main theme of the Eleventh Congress should be "Synergies and responses: strategic alliances in crime prevention and criminal justice".

2. With respect to the topics for discussion during the plenary session of the Eleventh Congress, the Assembly suggested four main topics (see below) and noted that Member States might refine those topics and propose additional topics at future intersessional meetings of the Commission for finalization at its twelfth session:

(a) Effective measures against transnational organized crime;

(b) Corruption: threats and trends in the twenty-first century;

(c) Economic and financial crimes: challenges to sustainable development;

(d) Making standards work: fifty years of standard-setting in crime prevention and criminal justice.

3. In its resolution 57/171, the Assembly also suggested that the following issues should be considered by workshops within the framework of the Eleventh Congress, and noted that Member States might refine those issues and propose additional workshop topics at future intersessional meetings of the Commission for finalization at its twelfth session:

(a) Measures to combat economic crime: the role of the private sector;

(b) Cross-border law enforcement cooperation;

(c) Human rights in criminal justice;

(d) Restorative justice: community involvement, diversion and other alternative measures;

(e) Links between transnational organized crime and terrorism;

(f) Measures to combat high-technology and computer-related crime;

(g) Measures to combat money-laundering;

(h) Combating corruption;

(i) Crime prevention strategies for youth at risk;

(j) Current practices in and ways of overcoming obstacles to extradition.

4. In the same resolution, the Assembly reiterated its request to the Secretary-General to provide the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime[3] of the Secretariat with the necessary resources, within the overall appropriations of the programme budget for the biennium 2002-2003, for the preparations for the Eleventh Congress and to ensure that adequate resources were provided in the programme budget for the biennium 2004-2005 to support the holding of the Congress; requested the Commission, at its twelfth session, to finalize the programme for the Eleventh Congress and to make its

final recommendations, through the Economic and Social Council, to the Assembly; and requested the Secretary-General to ensure the proper follow-up to the resolution and to report thereon to the Assembly through the Commission at its twelfth session.

5. At its twelfth session, the Commission on Crime Prevention and Criminal Justice discussed the preparations for the Eleventh Congress and concluded its deliberation by recommending to the General Assembly for approval the provisional agenda for the Congress, as well as proposals on other substantive organizational matters.

6. The present report is submitted to the General Assembly pursuant to resolution 57/171.

II. Views of Member States on the agenda items and workshop topics for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

7. The General Assembly may recall that the Secretary-General, in his report on preparations for the Eleventh Congress (A/57/154), provided a summary of the various proposals made by the responding Member States and other entities on the substantive agenda items and workshop topics. What follows should be read in conjunction with those proposals. A summary of the additional views of the Governments of Argentina, Bolivia, Bosnia and Herzegovina, Brazil, Colombia, Croatia, Ecuador, Japan, Oman, Pakistan, Qatar, Saudi Arabia, Turkey and Venezuela is presented below on the possible agenda items and workshop topics to be considered by the Eleventh Congress.

A. Agenda items

8. Argentina proposed the inclusion of the topic "Prevention of urban crime: new challenges" for discussion in the plenary session of the Eleventh Congress. Under that item, Argentina suggested that the following specific issues could be considered: (a) lessons learned in preventing urban crime and evaluating prevention strategies and public security policies; (b) functions, limits and the role of private security services in the context of crime prevention security policies; (c) strategies to prevent kidnapping and the connections between kidnapping and national and transnational organized crime; (d) discussion of the "no pay" strategy and the possible contribution of the private sector (for example, private security agencies, hostage negotiators and international insurance companies) to reducing kidnapping; (e) prevention of auto theft, motor vehicles being the main instrument, along with firearms, used in crimes of robbery with violence and the source of a black market in stolen vehicles, parts and components and the object of insurance fraud; (f) small arms: useful and effective strategies for civilian firearm disarmament; (g) prevention strategies to reduce the number of law enforcement officers killed; and (h) design and establishment of an international criminal violence index to measure trends in crime.

9. Bolivia recommended that the Eleventh Congress place emphasis on the analysis of the causes of corruption and the solutions proposed to combat that

scourge. Bolivia also recommended that the Eleventh Congress take account of factors relating to the prevention of economic and financial crimes and relevant cooperation among Member States, considering the significant impact that those crimes had on state resources, especially in poor countries.

10. Bosnia and Herzegovina proposed the inclusion of the topic "Abuse of chemical technologies in illicit drug production".

11. Brazil expressed its support for the topic "Effective measures against transnational organized crime", but suggested the inclusion of a sub-item on international trafficking in arms under that topic. Brazil recommended the inclusion of a new item on criminalization and penalization with emphasis on drug control policy. It also supported the inclusion of a sub-item on the role of the police in crime prevention and control, under the item "Making standards work: fifty years of standard-setting in crime prevention and criminal justice".

12. Colombia was of the view that "Effective measures against transnational organized crime" should be one of the priority topics for discussion during the plenary session of the Eleventh Congress and recommended that the following sub-items should be discussed under that topic: international crime concerned with trafficking in substances that cause physical and psychological dependence; transnational crime concerned with trafficking in persons; international crime concerned with trafficking in firearms; and conclusion, between Member States, of agreements on cooperation in criminal matters in connection with the search for suspects, extradition, freezing of assets and seizure of unlawfully acquired property. Colombia was of the view that corruption was a priority topic that required greater attention through study and through the adoption of joint measures by States to prevent and combat it.

13. Croatia was of the opinion that a major topic such as suppression of terrorism should be included as an agenda item of the Eleventh Congress. Croatia also suggested that the issue of terrorism could be considered within the framework of the Global Programme against Terrorism with a view to efficiently promoting the activities of the Centre for International Crime Prevention.

14. Qatar proposed the inclusion of the issues "Terrorism: its definitions and trends in the light of the new developments in the international scene" and "Means of cooperation between nations in combating terrorism".

15. Turkey proposed the inclusion of the topic "Effective measures against terrorism".

16. Venezuela supported the inclusion of the four agenda items listed in resolution 57/171 for the plenary sessions: (a) effective measures against transnational organized crime; (b) corruption: threats and trends in the twenty-first century; (c) economic and financial crimes: challenges to sustainable development; and (d) making standards work: fifty years of standard-setting in crime prevention and criminal justice. In that connection, Venezuela underlined the reasons behind supporting the above-mentioned four items, noting that the term "transnational organized crime" referred to criminal activity that extended beyond national borders, thus violating the respective laws of States. It involved activities carried out by structured groups, classified as "serious crimes" aiming at obtaining profit and/or political influence. Transnational organized crime included drug trafficking,

arms smuggling, exploitation of prostitution, kidnapping for the purposes of extortion, extortion through the provision of protection of business, trading in goods on the black market, money-laundering and encouraging and inciting corruption. Organized crime exploited the advantages and opportunities of globalization, causing international concern and constituting a real danger to regional and global stability. In view of the significant increase in organized crime and the practical difficulties frequently experienced in obtaining evidence, proof or any information about an offence, fighting the phenomenon would be a priority for consideration by the Eleventh Congress.

17. Venezuela was of the view that corruption was a phenomenon affecting all aspects of social structure and creating distortions not only in economic entities but also in the very planning of public policy, which could impede the social and economic development of States and thus have serious consequences on governance. It undermined the legitimacy of public institutions and damaged society, moral order and justice. There was a need to achieve maximum effectiveness in reducing the very high levels of impunity associated with corruption. There was also a need to evaluate and analyse threats, trends and new forms of corruption, to strengthen democratic institutions and to prevent economic distortions, misconduct in public office and the decline of social stability.

18. Venezuela also noted that modern societies were experiencing an increase in traditional property-related offences and in particular the emergence of new forms of economic crime. As economic interaction and technological innovations moved at an ever faster pace, this resulted in criminogenic factors giving rise to new forms of criminality. Consequently it would be essential to share information, harmonize legislation and increase vigilance with regard to organized crime and its economic ramifications. In that connection, international cooperation would be vital in investigating and prosecuting economic and financial crimes, as well as the creation of appropriate mechanisms to combat them.

19. Venezuela expressed the view that it would be desirable and timely to conduct a review or a survey of all existing international law related to crime prevention and criminal justice, approaching it firstly as a means of assessing the status of ratification of international instruments, with a view to encouraging those countries which had not yet signed to do so and secondly as a gauge of the impact of such instruments on the prevention and punishment of crime.

B. Topics for the workshops

20. Bolivia proposed that the workshop topics should be considered in the following order of priority: (a) human rights in criminal justice; (b) restorative justice: community involvement, diversion and other alternative measures; and (c) crime prevention strategies for youth at risk.

21. Brazil was of the view that the workshops should include the following topics: (a) the role of the city and the local community in crime control; (b) structural links between international arms and drug trafficking; (c) the limits of the mass imprisonment policy in tackling crime; and (d) the importance of police intelligence work in tackling crime.

22. Colombia recommended the following topics for consideration by the workshops, in order of priority: (a) measures to combat economic crime: the role of the private sector; (b) combating corruption; (c) restorative justice: community involvement, diversion and other alternative measures; (d) crime prevention strategies for youth at risk; (e) links between transnational organized crime and terrorism; (f) measures to combat high-technology and computer-related crime; (g) human rights in criminal justice; (h) measures to combat money-laundering; (i) cross-border law enforcement cooperation; and (j) current practices in and ways of overcoming obstacles to extradition.

23. Colombia recommended that the following concerns and issues be borne in mind: trafficking in human beings was a serious matter deserving attention by the workshops, noting that such a phenomenon seriously violated the dignity of and respect for the human person. It was considered to be the third most lucrative form of crime after the illicit drug trade and trafficking in firearms. Colombians and citizens of developing countries were victims of networks of traffickers in human beings. An additional reason for such a suggestion was the increase in the smuggling of migrants, especially those going to the industrialized countries, and its close links to trafficking in human beings. Such a situation urgently required the international community to become aware of and appreciate the danger that it represented and to join efforts to combat that scourge to humanity. Colombia also proposed the inclusion of the topic "Assistance to and protection of victims of trafficking in persons" for discussion under "Human rights in criminal justice". Colombia was of the opinion that the topic on crime prevention could also include the conclusion of bilateral and multilateral agreements; control of trafficking in explosives at the international level; protection of witnesses who gave evidence against criminal organizations; establishment of penalties for firms or corporations that offered to undertake unlawful activities on behalf of such criminal groups; adoption of measures to prevent criminal groups from manipulating mandatory procedures with regard to public contracts as well as subsidies and licences in connection with commercial activities.

24. Ecuador was of the opinion that the workshop topics should be discussed in the following order: (a) human rights in criminal justice; (b) links between transnational organized crime and terrorism; (c) combating corruption; (d) crime prevention strategies for youth at risk; (e) current practices in and ways of overcoming obstacles to extradition; (f) measures to combat economic crime: the role of the private sector; and (g) restorative justice: community involvement, diversion and other alternative measures.

25. Oman expressed the view that the topics for the workshops should include: (a) combating drugs and economic crime, including the negative effects of globalization; (b) international cooperation among law enforcement agencies; (c) prison overcrowding; and (d) the analysis of trends in juvenile delinquency.

26. Saudi Arabia proposed the inclusion of the following additional topics: (a) factors contributing to the proliferation of corruption and ways to eliminate them; (b) poverty and its effect on increased crime; and (c) combating fraud and the threat that it constitutes at the global level. Saudi Arabia also suggested that the topic "Human rights in criminal justice" should be reformulated to read "Human rights in criminal justice and their preservation under all circumstances".

27. Turkey suggested the inclusion of the following topics, in order of priority: (a) current practices in and ways of overcoming obstacles to extradition; (b) links between transnational organized crime and terrorism; and (c) cross-border law enforcement cooperation.

28. Venezuela supported the inclusion of the following workshop topics: (a) combating corruption; (b) measures to combat money-laundering; (c) crime prevention strategies for youth at risk; and (d) measures to combat high-technology and computer-related crime. In suggesting those topics, Venezuela noted that under the topic on corruption, strategies, plans and methods of national preventive control should be discussed, followed by the issue of legal instruments to combat corruption. Attention should be given to the type of preventive policy that should be put in place to assist the private sector in dealing with corruption. In discussing measures to combat money-laundering, Venezuela was of the view that such a phenomenon eroded the normal financial system, resulting in illegal financing of businesses, unfair competition and the strengthening of organizations that subverted economic order and discredited state structures. It was therefore essential for financial assistance to be more transparent so that legitimate activities would be less vulnerable to exploitation by criminal organizations; equally important would be to keep abreast of new mechanisms for laundering money derived from crime and to ensure that countries had effective means to detect and punish money-laundering practices.

29. As regards crime prevention strategies for youth at risk, Venezuela stated that its constitution established that children and adolescents were full subjects before the law and should be protected by specialized courts, bodies and legislation, with full protection for all concerned. Venezuela noted the deficiencies in existing mechanisms to prevent the crimes committed by children and adolescents in many parts of the world. It was therefore important to promote a healthy younger generation with full and progressive exercise of their rights and guarantees. Venezuela was of the view that the topic "Measures to combat high-technology and computer-related crime" should be accorded special attention, as the international community was encountering serious difficulties in investigating and detecting offences of that type. Computer or "cyber" criminals operated freely, committing offences such as gaining unauthorized access or computer hacking, fraud, computer sabotage, drug trafficking and trafficking in children for the purpose of pornography. In Venezuela, two legal instruments governed that area, namely, the Special Act against Computer Crime and the Act on Data Messages and Electronic Signatures.

III. Views of relevant specialized agencies and other entities of the United Nations system

Office of Legal Affairs

30. The Office of Legal Affairs of the Secretariat indicated that during the consideration by the Sixth Committee of the General Assembly of the item entitled "Measures to eliminate international terrorism" at the fifty-seventh session of the Assembly some delegations in their statements had referred to links between

transnational organized crime and terrorism. That aspect should be taken into account in finalizing the substantive agenda for the Eleventh Congress.

Division for the Advancement of Women

31. The Division for the Advancement of Women of the Secretariat expressed its readiness to cooperate fully in the preparations for the Eleventh Congress and to participate in it, as the proposed topics were directly related to primary concerns of the Division. Accordingly, the Division suggested that appropriate attention should be given by the Congress to the issue of trafficking in women and girls and also that that topic should be discussed at the regional preparatory meetings. The Division also pointed out that crime and drugs were often inextricably linked to trafficking in women and girls and exacerbated the plight of victims. Additionally, the Division recommended that gender perspectives—focusing on the different situation of women and men and the different impact of measures on women and girls as compared with men and boys—should be considered with regard to any proposed preventive and remedial actions and should be an integral part of any discussions at and final documents of the Congress and its regional preparatory meetings. The Division noted that it had strengthened its collaboration with the United Nations Office on Drugs and Crime in the recent past through, inter alia, development of training programmes on gender mainstreaming, production of briefing notes on gender and crime prevention and drug control as well as organization of joint workshops and training, and expressed its willingness to continue and enhance that collaboration in the future.

Economic Commission for Europe

32. The Economic Commission for Europe noted that it and the United Nations Office on Drugs and Crime had developed an excellent working relationship, with participation in each other's activities, and referred in particular to the two organizations' collaboration in supporting the Southeast European Cooperative Initiative and its Regional Centre for Combating Transborder Crime in Bucharest. The Commission pointed out that the Regional Centre was successful and the first example of regional ownership. Task forces have been established within the Regional Centre to focus efforts on trafficking in human beings, drug trafficking, commercial fraud, vehicle theft and customs valuation fraud, which reflected the concerns of Governments in the region. The Commission suggested that, in order to support crime prevention efforts, such issues should be included for consideration at the intersessional meetings prior to the twelfth session of the Commission on Crime Prevention and Criminal Justice, so as to be taken into account in finalizing the substantive agenda for the Eleventh Congress.

Economic Commission for Latin America and the Caribbean

33. The Economic Commission for Latin America and the Caribbean expressed its support for the organization of the regional preparatory meeting for the Eleventh Congress in Santiago and for any other activities related to crime prevention.

United Nations Conference on Trade and Development

34. The United Nations Conference on Trade and Development expressed its interest in continued collaboration in areas of joint concern.

United Nations Environment Programme

35. The United Nations Environment Programme expressed support for the work of the Centre for International Crime Prevention and would be ready to collaborate on issues of mutual interest. The Programme would also extend its full support to the preparations for the Eleventh Congress.

International Civil Aviation Organization

36. The International Civil Aviation Organization (ICAO) noted the work of the United Nations in crime prevention and criminal justice. While certain activities in that field were not closely related to the daily work of ICAO, the general notion of crime prevention was significant for the Organization. ICAO devoted considerable efforts to dealing with the problem of unruly passengers, as elements of crime prevention and the exercise of criminal jurisdiction. In that regard, Guidance Material on the Legal Aspects of Unruly/Disruptive Passengers (ICAO Circular 288) had been developed, addressing a uniform list of offences, jurisdiction and the legal mechanisms available for combating the problem of unruly passengers.

Universal Postal Union

37. The Universal Postal Union expressed its willingness to enter into inter-organizational cooperation in the areas of international crime prevention. Since 1990, the mission of the Union's Postal Security Action Group had been to enhance the security and integrity of the international mail network and the broad initiatives of the Action Group had encompassed combating dangerous goods in the post, fighting drug trafficking and money-laundering, stemming the tide of fraud perpetuated by letters from the West African region, conducting quality of service and security reviews of international airports, securing the mail from loss or theft and bio-terrorism prevention issues. The Universal Postal Union would support further cooperation between it and the United Nations Office on Drugs and Crime towards common objectives and also expressed its willingness to offer the Postal Security Action Group specialists to attend future meetings and seminars of the Office on that subject for purposes of attaining common goals.

IV. Views of intergovernmental organizations and other entities

African Union

38. The African Union addressed issues of good governance that affected the development plans of African States. In that regard, the Union emphasized the importance of strengthening administrative structures, especially those needed for good governance, as it would have a positive influence on economic and political life, restrain corruption and make possible sustainable development by improving the delivery of aid. The Union also pointed out that social stability and foreign investors' attitudes would depend greatly on those factors, in particular in Africa. The Union had already been tackling the problems of illicit trafficking in and abuse of narcotic drugs and psychotropic substances, organized crime, money-laundering

and corruption by using an integrated, well-coordinated and balanced approach in the context of sustainable human development. The Union suggested that the agenda items for the plenary sessions of the Eleventh Congress should include the followings topics: (a) poverty reduction through debt cancellation, which would be a strong tool for the prevention of illicit trafficking and abuse of narcotic drugs and psychotropic substances; (b) debt cancellation for preventive drug abuse education, a strategy for crime prevention for youth at risk; and (c) links between drug trafficking, transnational organized crime and terrorism. In addition, the Union recommended three workshop topics and round tables as follows: (a) drugs f r arms: which way forward?; (b) the role of drug trafficking in sustaining conflicts; and (c) drug dependency and child soldiers: provision of alternative development programmes to replace criminal justice.

Commonwealth Secretariat

39. The Commonwealth Secretariat expressed its interest in cooperating with the United Nations Office on Drugs and Crime in the preparatory work for the Eleventh Congress.

Council of Europe

40. The Council of Europe noted that the general theme as well as the topics for the various workshops would meet the concerns being addressed at present within the Council: corruption, money-laundering, organized crime, computer-related crime, alternatives to imprisonment and juvenile delinquency. The Council suggested that the subject of strengthening the position of victims of crime both within and outside criminal proceedings might be added to the agenda of the Congress, as a follow-up to the discussions held during the Tenth Congress on offenders and victims. As to the links between transnational organized crime and terrorism, the Council of Europe indicated that the Committee of Ministers had mandated a Multidisciplinary Group on International Action against Terrorism with considering appropriate measures to strengthen member States' efforts to combat terrorist acts. The Multidisciplinary Group had drafted an Additional Protocol to the 1977 European Convention on the Suppression of Terrorism,[4] which would be opened for signature in 2004. The Committee of Ministers had adopted Guidelines on human rights and the fight against terrorism. In addition, the Multidisciplinary Group had also identified priority actions, five of which concerned the areas of criminal justice: apology of, and incitement to, terrorism; special investigation techniques; protection of witnesses; international law enforcement cooperation; and financing of terrorism. The Council of Europe hoped to be able to send a representative to the Eleventh Congress to report on the progress made by the Council in the areas of crime prevention and criminal justice, underlining the cooperation between the Council of Europe and the United Nations Office on Drugs and Crime, which would continue to develop in the future to the mutual benefit of the two organizations.

European Police Office

41. The European Police Office (Europol) expressed its willingness to contribute to the preparations for the Eleventh Congress in relevant areas within its mandate and within budgetary resources.

International Centre for Migration Policy Development

42. The International Centre for Migration Policy Development was of the view that international cooperation aiming at combating illegal migration, smuggling of migrants and trafficking in persons, as well as cooperation on border management issues, should be priority concerns of the Eleventh Congress. The Centre was also preparing for the Ministerial Conference to Prevent Uncontrolled Migration, to be held in March 2003, which would be of direct relevance to the substantive preparations for the Congress.

V. Views of non-governmental organizations

43. The Friends World Committee for Consultation/Religious Society of Friends (Quakers), the International Association of Judges and the International Federation of University Women expressed interest in the preparations for the Eleventh Congress.

44. The International Council of Women welcomed the intention of the United Nations to intensify cooperation with non-governmental organizations and expressed its interest in cooperating with the Commission on Crime Prevention and Criminal Justice on all issues relevant to the status of women. The Council had disseminated information and reports on the Tenth Congress.

45. The International Police Association (Interpol) expressed full support for the Eleventh Congress and proposed to cooperate in any way possible in the fight against transnational organized crime, as organized crime had become too widespread for any single Government to combat effectively. For that reason, Interpol suggested that States should carry out joint and cross-border operations in order to be most effective and successful and should also adopt powerful new treaties, such as the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I). Interpol also recommended that all States and organizations become involved in organizing ongoing consultations in the field of organized crime in order not to be "one step behind".

46. The World Muslim Congress supported full cooperation with the United Nations Office on Drugs and Crime in the preparations for the Eleventh Congress. It placed particular emphasis on restorative justice, as it had already included research on the evolution of restorative justice in its programme of work.

Institutes of the United Nations Crime Prevention and Criminal Justice Programme network

47. The United Nations Interregional Crime and Justice Research Institute expressed full support for the organization of workshops on any topics selected by the Commission. In addition, the Institute suggested that since the year 2005 would mark the fiftieth anniversary of the Standard Minimum Rules for the Treatment of

Prisoners (Economic and Social Council resolution 663 (XXIV), annex), Member States might consider the desirability of including in the agenda one workshop devoted to the world situation of corrections and in particular to the most critical issues such as overcrowding, health and juveniles.

VI. Intersessional meeting of the Commission on Crime Prevention and Criminal Justice

48. In its resolution 57/171, the General Assembly suggested that the topics for the substantive agenda items and for the workshops identified by the Commission on Crime Prevention and Criminal Justice at its eleventh session, as reflected in the resolution, might be refined by Member States at future intersessional meetings of the Commission. In response, an intersessional meeting of the Commission was held on 12 February 2003 to discuss any additional proposals as to substantive agenda items and workshop topics. Thailand, as host of the Eleventh Congress on Crime Prevention and Criminal Justice, expressed appreciation to the Secretariat for its efforts in the preparation of the Congress.

49. Argentina recommended the inclusion of urban crime, as a follow-up to the discussion of that issue at the Tenth Congress.

50. Japan was of the view that the workshop topics for the Eleventh Congress should include: (a) measures to combat high-technology and computer-related crime; (b) measures to combat money-laundering; and (c) combating corruption. Japan informed the meeting that the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders intended to organize a workshop dealing with measures to combat money-laundering.

51. Thailand was of the view that, following past practice, the number of workshop topics should not exceed four, so as to allow adequate time for a thorough discussion of the various issues before the workshops. In that connection, Thailand suggested the following four topics: (a) criminal justice reform; (b) combating transnational organized crime in all its manifestations, including its linkages to drug trafficking; (c) combating terrorism; and (d) economic and financial crime and illicit trade.

52. At the end of the intersessional meeting, and based on a proposal of Thailand, it was decided that an open-ended working group should be established to work out recommendations on the substantive agenda items and workshop topics, the meetings of which would be facilitated by the delegation of Thailand. The group met on 26 March and 30 April 2003 and its recommendations were reported to the Commission.

VII. Twelfth session of the Commission on Crime Prevention and Criminal Justice

53. Regional groups, representatives of Member States and representatives of non-governmental organizations and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network contributed to the discussion on the preparations for the Congress, shedding light on substantive aspects. The

Commission on Crime Prevention and Criminal Justice welcomed the report of the Secretary-General on the preparations for the Eleventh Congress[5] and also the draft resolution submitted by Thailand as host of the Congress.[6]

54. In highlighting the importance of the United Nations congresses, reference was made to the Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme, held in Versailles, France, from 21 to 23 November 1991,[7] at which the role of the congresses had been defined, focusing on exchanging views between Member States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines, the exchange of experience in research, law and policy development and the provision of advice. The achievements of past congresses were also highlighted, in particular in adopting internationally recognized standards and norms in crime prevention and criminal justice. With respect to future congresses, it was recommended that a small number of plenary sessions on specific topics be held, with a slightly longer period of time allocated to a high-level segment discussion, so as to raise the profile of international criminal justice issues within the political arena. The recommendations of the congresses should be adopted in the form of a declaration at the end of the high-level segment. The importance of holding intersessional meetings to support the preparations for the Congress was stressed.

55. The workshops were considered the main resource in terms of exchange of information and identification of new trends and best practices. Adequate time should be allocated to the workshops to allow for practical presentations and a focused and dynamic discussion and exchange of information on precise and well delineated issues. The institutes of the United Nations Crime Prevention and Criminal Justice Programme network should be fully involved in the organization of the workshops, as they had the capability and the knowledge required for those events. In particular, the Commission was informed that the International Centre for Criminal Law Reform and Criminal Justice Policy would be ready to play a role in relation to the workshop dealing with restorative justice and that the International Centre for the Prevention of Crime would play a similar role in relation to the workshop on crime prevention. The involvement and support of the Australian Institute of Criminology was also pledged in the organization of the workshops.

56. The importance for the regional preparatory meetings to make action-oriented recommendations and to identify policy options from regional perspectives, which would make a major contribution to the success of the Congress, was highlighted. Donor countries were encouraged to cooperate with developing countries, in particular the least developed countries, to ensure their full participation in the preparatory process and the Congress itself. Satisfaction was expressed with the fact that the Congress would continue its past practice of holding ancillary meetings of non-governmental and professional organizations. Representatives of non-governmental organizations and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network expressed their readiness to support the Secretariat with the coordination and organization of such meetings.

57. Referring to the report of the Secretary-General, the representative of Thailand expressed appreciation for the valuable and constructive views and recommendations of Member States and a number of specialized agencies, United Nations programmes and intergovernmental and non-governmental organizations

reflected in the report. He informed the Commission that, as host of the Eleventh Congress, the Government of Thailand had established a national committee, headed by the Deputy Prime Minister and composed of representatives of high-level authorities, which would ensure the success of the organizational arrangements to be put in place for the Congress. On the occasion of the thirteenth session of the Commission, a visual presentation of the Queen Sirikit Convention Center and other available facilities would be made. Speakers expressed their appreciation to the Government of Thailand for offering to host the Congress and for submitting a draft resolution on the preparations for that event, in which relevant topics for the substantive agenda items and workshop issues had been identified.

58. The necessity for the cooperation of all Member States in the preparation of the Congress was highlighted, together with the role of the Secretariat in assisting with the preparation of the required documentation, the rules of procedure and public information programmes. In that regard, the view was expressed that such tasks should be carried out within the existing resources allocated for the Congress.

59. At the conclusion of the discussion, the Commission was informed that the preparations for the Eleventh Congress would be carried out in the most cost-effective manner and that relevant budgetary provisions would be included in the proposed programme budget for the biennium 2004-2005. The appeal of the representative of Zimbabwe on behalf of the Group of African States to assist the least developed countries to participate in the regional preparatory meetings and in the Congress itself was noted.

60. At the end of its deliberations, the Commission recommended the following provisional agenda for approval by the General Assembly:

1. Opening of the Congress.
2. Organizational matters.
3. Effective measures to combat transnational organized crime.
4. International cooperation against terrorism and links between terrorism and other criminal activities in the context of the work of the United Nations Office on Drugs and Crime.
5. Corruption: threats and trends in the twenty-first century.
6. Economic and financial crimes: challenges to sustainable development.
7. Making standards work: fifty years of standard-setting in crime prevention and criminal justice.
8. Adoption of the report of the Congress.

The Commission also recommended, for approval by the General Assembly, that the following issues be considered by workshops within the framework of the Eleventh Congress:

(a) Enhancing international law enforcement cooperation, including extradition measures;

(b) Enhancing criminal justice reform, including restorative justice;

(c) Strategies and best practices for crime prevention, in particular in relation to urban crime and youth at risk;

(d) Measures to combat terrorism, with reference to the relevant international conventions and protocols;

(e) Measures to combat economic crime, including money-laundering;

(f) Measures to combat computer-related crime.

VIII. Organizational arrangements

61. At its twelfth session, the Commission on Crime Prevention and Criminal Justice addressed some of the organizational arrangements, including the appointment of a secretary-general and an executive secretary for the Eleventh Congress, the dates and duration of the Congress, as well as the preparations for the regional preparatory meetings. In accordance with paragraph 2 (k) of General Assembly resolution 56/119 of 19 December 2001, each congress should be preceded by regional preparatory meetings, when necessary, and the costs of the regional preparatory meetings for each congress should be streamlined by holding them in conjunction with other regional meetings, shortening their duration and limiting the preparation of background documents. The Commission also addressed the issues of documentation and public information activities.

A. Appointment of a secretary-general and an executive secretary of the Eleventh Congress

62. Following past practice, the Secretary-General of the United Nations is expected to appoint a secretary-general and an executive secretary of the Eleventh Congress to perform their functions under the rules of procedure for the United Nations congresses on crime prevention and criminal justice.

B. Venue

63. In its resolution 57/171, on the recommendation of the Commission, the General Assembly accepted with gratitude the offer of the Government of Thailand to host the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, and requested the Secretary-General to initiate consultations with the Government of Thailand and to report to the Commission at its twelfth session. Such consultations were initiated and the results were reported to the Commission at its twelfth session.

C. Dates and duration

64. Consultations with the host Government and other Member States on possible dates for the Eleventh Congress revealed that the most suitable dates would tentatively be from 18 to 25 April 2005, with pre-congress consultations to be held

on 18 April 2005. Following past practice, the conclusions of the Congress will be considered by the Commission at its session in 2005, with a view to providing guidance on their implementation. The Commission also recommended that the high-level segment of the Eleventh Congress be held during the last three days of the Congress in order to allow heads of State or Government or government ministers to focus on the main substantive agenda items of the Congress.

D. Regional preparatory meetings

65. In response to General Assembly resolutions 56/119 and 57/171, the Secretary-General will proceed with the organization of the regional preparatory meetings prior to the holding of the Eleventh Congress. Such meetings are intergovernmental in nature. Representatives of Governments, entities of the United Nations system, including the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, and intergovernmental and non-governmental organizations will attend them. The main purpose of the meetings will be to facilitate an exchange of views and experience on the various issues to be discussed by the Eleventh Congress and to identify the main concerns and priorities of the respective regions. At its twelfth session, the Commission recommended to the General Assembly that the regional preparatory meetings be urged to examine the substantive agenda items and the workshop topics and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Eleventh Congress and the Commission at its fourteenth session. Consultations are under way with the regional commissions and the Secretariat regarding possible dates and venues. It is expected that the regional preparatory meetings will take place during the period from January to April 2004. The basic resources required for their organization have been included in the proposed programme budget for the biennium 2004-2005,[7] in accordance with resolutions 56/119 and 57/171.

E. Discussion guides

66. As the Commission has selected the substantive agenda items and the workshop topics, the Secretariat is proceeding with the preparation of the two discussion guides for the preparatory meetings and for the workshops, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network. The discussion guides will serve as the annotated provisional agenda for the preparatory meetings and for the workshops, outlining the main topics and the themes to be discussed. They are intended not only to focus on the different agenda items at the preparatory meetings and to stimulate discussion of issues of major concern, but also to identify policy options from a regional perspective for consideration by the Eleventh Congress, as well as to obtain relevant and updated information for inclusion in the working papers for the Congress.

F. Public information

67. It is expected that the Department of Public Information will continue its practice of undertaking public information activities prior to and during the

Congress itself. Those activities should have the following objectives: (a) to provide Governments and experts with information on the Eleventh Congress, especially with regard to the scope of the items of the provisional agenda; and (b) to create awareness among experts and the general public of the significance of actions taken by Governments and intergovernmental and non-governmental organizations and the work of the United Nations in the field of crime prevention and criminal justice. The target audience of such activities will include government officials; specialists in criminal law and criminal justice; public administrators; parliamentarians; practitioners in the field of crime prevention and criminal justice; readers of periodicals and other publications specializing in penology and criminology; and officers and members of professional organizations, judges, law enforcement personnel and other pertinent professional groups. It should be emphasized that the public information activities should be undertaken in a timely manner so as to ensure the fullest awareness and involvement of Governments and the public at large in such an important world event.

G. Documentation

68. It should be recalled that, pursuant to paragraph 2 (j) of General Assembly resolution 56/119, the Commission, as the preparatory body for the Eleventh Congress, should request the Secretary-General to prepare only those background documents which are absolutely necessary for implementing the programme of work of the Congress. Accordingly, the Commission, at its twelfth session, made specific recommendations on the number, content, style and timing of documentation for the Congress, in particular, the discussion guide for the regional preparatory meetings, their reports and the working papers on the main topics of the Congress, as well as national papers and submissions by intergovernmental and non-governmental organizations and institutes.

69. The Commission recommended that the basic documentation for the Eleventh Congress consist of the following: (a) working papers on each of the four substantive items of the provisional agenda, drawing on the results of the regional preparatory meetings, the recommendations of the Commission and contributions made by experts; (b) reports of the regional preparatory meetings; and (c) a limited number of documents prepared by the Secretariat that are relevant to the discussion of the agenda items, such as reports of expert group meetings and other specialized studies on specific issues. In addition, background documents will also be before the Congress, including reports prepared by other United Nations entities and institutes, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, as well as contributions by individual experts on the roster of the Secretariat, dealing with specific questions in their area of expertise. Particular attention will be given to national papers or reports submitted by Governments. Following past practice, the Secretariat will provide information on the format, languages and submission of such reports.

IX. Concluding remarks

70. The additional proposals provided in response to the Secretary-General's request for views of 1 October 2002 by Member States, entities of the United

Nations system and intergovernmental and non-governmental organizations concerning the agenda items for the plenary sessions and topics for the workshops were of assistance to the Commission in finalizing the provisional agenda for the Congress. In response to General Assembly resolution 57/171, the Commission, at its twelfth session, made a number of recommendations touching on substantive and organizational matters relating to the Congress, as reflected in the draft resolution recommended for approval by the Economic and Social Council for adoption by the Assembly. At its thirteenth session, the Commission is expected to accord sufficient time to reviewing the progress made in the preparations for the Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its recommendations, through the Economic and Social Council, to the General Assembly.

Notes

[1] *Official Records of the Economic and Social Council, 2002, Supplement No. 10* and corrigendum (E/2002/30 and Corr.1).

[2] Ibid., chap. VII.

[3] Formerly known as the Office for Drug Control and Crime Prevention.

[4] United Nations, *Treaty Series*, vol. 1137, No. 17828.

[5] E/CN.15/2003/11 and Corr.1 and Add.1 and 2.

[6] E/CN.15/2003/L.8/Rev.1.

[7] See A/CONF.156.